



U.S. DEPARTMENT OF AGRICULTURE

Nebraska FSA and NRCS State Office Newsletter - December 2022

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A Message from the FSA State Executive Director

As is appropriate for the holiday season, I have been reflecting on the year past as the Nebraska Farm Service Agency state executive director. While I am consistently in awe of the professionalism in our offices and the incredible workload our staff undertakes to serve

you, I am equally inspired by your grit and determination. Against the odds of drought and wildfire, daunting heat, high winds, and little to no forage, you have persevered. As your partner in addressing some of those seemingly insurmountable obstacles, the staff of this agency has delivered some important programs to aid in making your task a little easier. This is a good partnership, and I'm excited each day to be a part of it.

As we look forward into the new year, I can tell you we have plans to implement additional needed relief through two programs, [Emergency Relief Program \(ERP\)](#) Phase II and the [Pandemic Assistance Revenue Program](#). These programs are new, revenue loss-based programs intended to fill gaps in assistance programs previously delivered for substantial disaster and pandemic related losses. There will be much more to come on these programs in the new year, so please pay attention to news from your county office.

In addition to looking ahead to these new programs, I want to draw your attention to upcoming important program deadlines that will arrive early in 2023. For example, the deadline to apply for 2022 grazing loss assistance through the [Livestock Forage Disaster Program \(LFP\)](#) and the [Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish Program \(ELAP\)](#) is Jan. 30, 2023. The programs are available in over 60 Nebraska counties. Check out the article below for additional details.

If you are a dairy producer and haven't done so already, please check into the safety net coverage available through the [Dairy Margin Coverage Program](#) (DMC). The deadline to apply is January 31, 2023. The catastrophic coverage level is available for the cost of only a \$100 administrative fee.

And while the deadline of March 15, 2023, is a way off, it's never too early to start working with your county FSA office on your election decisions and enrollment in the [Agriculture Risk Coverage/Price Loss Coverage](#) (ARC/PLC) safety net programs for 2023.

It is an honor to serve each of you each day in this role. I wish you and your families the very Merriest of Christmases and Happiest of New Years!

--John Berge

Dates to Remember

Dec. 26, 2022 – USDA Service Centers closed in observance of federal holiday

Jan. 2, 2023 – USDA Service Centers closed in observance of federal holiday

Jan. 3, 2023 – FSA acreage certification deadline for honey

Jan. 30, 2023 – FSA deadline for applications for Livestock Forage Disaster Program (LFP) and Emergency Assistance for Livestock, Honeybees and Farm-raised Fish Program (ELAP) benefits for 2022 losses

Jan. 31, 2023 – FSA deadline for producers to apply for an LDP for wool and unshorn pelts

Jan. 31, 2023 – FSA deadline for producers to apply for Food Safety Certification for Specialty Crops Program (FSCSC) for 2022 benefits

Jan. 31, 2023 – FSA deadline for application to the Dairy Margin Coverage Program for 2023

March 15, 2023 – FSA Agriculture Risk Coverage and Price Loss Coverage (ARC/PLC) Program deadline for elections and enrollment for 2023 production season

****Please note any above NAP calendar reference may not be inclusive for all NAP-covered crops; NAP participants should contact their County FSA Office to confirm important program deadlines.*

New Guide Available for Underserved Farmers, Ranchers

A new multi-agency guide for USDA assistance for underserved farmers and ranchers is now available. If you are a farmer or rancher and are a minority, woman, veteran, beginning, or limited resource producer, you can use this booklet to learn about assistance and targeted opportunities available to you. This includes programs offered through the Farm Service Agency, Natural Resources Conservation Service, and Risk Management Agency.

The guide is also available in Spanish, Hmong, Korean, Vietnamese, Thai and Chinese on farmers.gov/translations.

FSA Accepting Offers for CRP Special Initiative for Upland Wildlife Habitat Development

County Farm Service Agency offices in most USDA Service Centers across the state are accepting applications for a special Conservation Reserve Program (CRP) initiative designed to increase habitat for upland wildlife. The [Upland Wildlife State Acres for Wildlife Enhancement \(SAFE\) CRP](#) aims to create more acres for greater prairie chickens, northern bobwhite, plains sharp-tailed grouse, ring-neck pheasants, songbirds and pollinators. Through CRP, producers and landowners establish long-term, resource-conserving plant species, such as approved grasses and shrubs, to control soil erosion, improve soil health and water quality, and enhance wildlife habitat on agricultural land.

Landowners interested in the Upland Wildlife SAFE CRP must offer tracts with a minimum of five acres. There is no maximum number of acres per tract. Cropland must have been planted or considered planted to an agricultural commodity four of the six crop years from 2012-2017 or meet a rotation between 2006 through 2017. Landowners with expired or expiring CRP can offer acres for re-enrollment.

Through SAFE, entities partner with USDA's FSA and Natural Resources Conservation Service (NRCS) on CRP projects to enhance habitat for target wildlife species. The Upland Wildlife SAFE is a joint project by FSA, NRCS, Nebraska Game and Parks Commission and Pheasants Forever of Nebraska. There may be signing incentive and practice incentive payments available as part of this special initiative, as well as additional incentives available through project partners, such as the Nebraska Game and Parks Commission.

To learn more about the Upland Wildlife SAFE CRP, visit fsa.usda.gov/ne or crpsignup.com or contact your nearest USDA Service Center.

Farmers Reminded of Wetland Conservation Requirements

Producers participating in farm safety-net programs administered by USDA are required to abide by certain conditions on any land owned or farmed that is considered a wetland. To maintain compliance with wetland conservation provisions, producers must agree, by certifying on form AD-1026, they will not plant an agricultural commodity on a converted wetland or convert a wetland to produce an agricultural commodity.

Non-compliance could negatively impact producer benefits received through USDA programs administered by the Farm Service Agency (FSA), the Natural Resources Conservation Service (NRCS) and the Risk Management Agency (RMA).

Specifically, persons are ineligible for benefits under certain FSA, NRCS and RMA programs if they plant an agricultural commodity on wetlands that were converted after Dec. 23, 1985, or if they convert a wetland after Nov. 28, 1990. Some examples of the conversion of a wetland are draining, dredging, tiling, leveling or removing woody vegetation. Program regulations indicate that even accidental planting of a small portion of a converted wetland must be treated as a wetland violation, and therefore would make the producer ineligible for USDA benefits on all farms for which they receive benefits.

Producers should contact their local USDA Service Center prior to tiling, clearing trees, dredging, land leveling, straightening a ditch, et cetera. For notification, the producer will be asked to complete FSA form AD-1026, identifying the area for the proposed activity on a map and informing what activity will be done. FSA then refers this information to NRCS, who will determine whether a wetland exists and whether there are any exemptions that would allow the producer to proceed with the project and not jeopardize safety-net benefits.

If a farm is found in violation of wetland provisions, all producers associated with the land (including their affiliates) are ineligible for program benefits and the violation could affect prior year payments. In some cases, USDA conservation compliance policy allows for a producer who has had a wetland violation to offset that loss through mitigation to maintain eligibility for USDA benefits. For more information on wetland conservation compliance, contact your nearest USDA Service Center.

Livestock Indemnity Program: Call FSA Within 30 Days of Livestock Losses

The Livestock Indemnity Program (LIP) provides financial benefits to producers who suffer livestock losses above normal mortality due to adverse weather, which can include winter storms with certain conditions such as heavy snowfall and extremely cold temperatures.

Livestock producers who have experienced weather-related livestock losses are reminded that reporting and documenting those losses is an important part of the LIP application process. Producers must report losses within 30 days of when those livestock losses become apparent. A phone call to the county FSA office can serve as official notice of loss.

Adequate documentation must be provided that proves the death or injury of eligible livestock occurred as a direct result of an eligible loss condition in the calendar year for which benefits are being requested. Documentation also must provide sufficient data that identifies the quantity and the livestock kind/type and weight range. Documents providing acceptable evidence may include, but are not limited to, any or a combination of the following:

- contemporaneous producer records existing at the time of event - pictures with a date
- rendering truck receipts or certificates
- veterinary records
- records assembled for tax purposes
- private insurance documents
- bank or other loan documents
- brand inspection records

Livestock owners or contract growers who suffered livestock losses will file a notice of loss and an application for payment at the USDA Service Center responsible for the physical location county where the livestock deaths or injuries occurred. While livestock owners and contract growers **must file the notice of loss by 30 calendar days of when the loss is first apparent to the participant**, for 2022 losses, producers have until March 1, 2023, to file the application for payment and provide the supporting documentation.

Apply Now for Assistance with On-Farm Food Safety Expenses for Specialty Crop Growers

The U.S. Department of Agriculture (USDA) plans to provide up to \$200 million in assistance for specialty crop producers who incur eligible on-farm food safety program expenses to obtain or renew a food safety certification in calendar years 2022 or 2023. USDA's new [Food Safety Certification for Specialty Crops](#) (FSCSC) program will help to offset costs for specialty crop producers to comply with regulatory requirements and market-driven food safety certification requirements.

Specialty crop operations can apply now through January 31, 2023, for assistance for eligible expenses related to a 2022 food safety certificate issued on or after June 21, 2022. FSCSC will assist specialty crop operations that incurred eligible on-farm food safety certification and related expenses related to obtaining or renewing a food safety certification in calendar years 2022 and 2023. For each year, FSCSC covers a percentage of the specialty crop operation's cost of obtaining or renewing their certification, as well as a portion of their related expenses.

To be eligible for FSCSC, the applicant must be a specialty crop operation; meet the definition of a small business or very small business; and have paid eligible expenses related to the 2022 (issued on or after June 21, 2022) or 2023 certification.

Specialty crop operations may receive assistance for the following costs:

- Developing a food safety plan for first-time food safety certification.
- Maintaining or updating an existing food safety plan.
- Food safety certification.
- Certification upload fees.
- Microbiological testing for products, soil amendments and water.

FSCSC payments are calculated separately for each category of eligible costs. A higher payment rate has been set for socially disadvantaged, limited resource, beginning and veteran farmers and ranchers. Details about the payment rates and limitations can be found at farmers.gov/food-safety. The link to a recorded webinar that outlines program parameters also can be found on the website.

Applying for Assistance

The FSCSC application period for 2022 is June 27, 2022, through January 31, 2023, and the application period for 2023 will be announced at a later date. FSA will issue payments at the time of application approval for 2022 and after the application period ends for 2023. If calculated payments exceed the amount of available funding, payments will be prorated.

Interested specialty crop producers can apply by completing the FSA-888, Food Safety Certification for Specialty Crops Program (FSCSC) application. The application, along with other required documents, can be submitted to the FSA office at any USDA Service Center nationwide by mail, fax, hand delivery or via electronic means.

Producers can visit farmers.gov/food-safety for additional program details, eligibility information and forms needed to apply.

FSA Encourages Producers to Submit Applications for 2022 Grazing Loss Assistance by Jan. 30

LFP, ELAP available in over 60 Nebraska counties

Farm Service Agency reminds ranchers and livestock producers if they are interested in accessing financial assistance available due to qualifying drought or fire impacts in 2022, now is the time to contact their county FSA office to learn more about the programs and apply.

The deadline to apply for 2022 assistance through the [Livestock Forage Disaster Program \(LFP\)](#) and the [Emergency Assistance for Livestock, Honeybees, and Farm-Raised Fish Program \(ELAP\)](#) is Jan. 30, 2023.

For the 2022 program year, [69 counties in Nebraska](#) have met drought severity levels that trigger LFP for native pasture. The program may also have triggered for other grazed forages in certain counties. For LFP, qualifying drought triggers are determined using the [U.S. Drought Monitor](#) classifications within the grazing season. ELAP also uses the U.S. Drought Monitor as a triggering mechanism, but also has other program triggers,

depending on whether a producer is applying for assistance due to drought or due to losses related to wildfire.

LFP provides payments to eligible livestock producers and contract growers who also have risk in eligible grazing land or produce forage crops for grazing and who suffered losses due to a qualifying drought during the normal grazing period for the county. Producers must have risk in both the livestock and the grazing land.

ELAP provides eligible producers with compensation for certain feed losses not covered by LFP, including feed and grazing losses associated with wildfire, as well as assistance with transporting water to grazing livestock, transporting feed to grazing livestock and transporting livestock to new grazing locations. Producers must have risk in both the livestock and the grazing land.

In addition to cattle, eligible livestock for both programs can include alpacas, buffalo/bison, goats, sheep, and others that have been or would have been grazing the eligible grazing land or pastureland during the normal grazing period.

To expedite the application process, producers are encouraged to gather records important to the application, such as grazing leases and contract grower agreements for LFP and ELAP assistance and information associated with the transportation of livestock feed (number of loads and mileage) or water (number of loads and gallons), if applying for ELAP assistance.

For more information or to apply, visit your nearest USDA Service Center.

Communication is Key in Lending

Farm Service Agency (FSA) is committed to providing our farm loan borrowers the tools necessary to be successful. FSA staff will provide guidance and counsel from the loan application process through the borrower's graduation to commercial credit. While it is FSA's commitment to advise borrowers as they identify goals and evaluate progress, it is crucial for borrowers to communicate with their farm loan staff when changes occur. It is the borrower's responsibility to alert FSA to any of the following:

- Any proposed or significant changes in the farming operation
- Any significant changes to family income or expenses
- The development of problem situations
- Any losses or proposed significant changes in security

If a farm loan borrower can't make payments to suppliers, other creditors, or FSA on time, contact your farm loan staff immediately to discuss loan servicing options.

For more information on FSA farm loan programs, contact your county FSA office or visit fsa.usda.gov.

Reminders for FSA Direct, Guaranteed Borrowers with Real Estate Security

Farm loan borrowers who have pledged real estate as security for their Farm Service Agency (FSA) direct or guaranteed loans are responsible for maintaining loan collateral. Borrowers must obtain prior consent or approval from FSA or the guaranteed lender for any transaction that affects real estate security. These transactions include, but are not limited to:

- Leases of any kind
- Easements of any kind
- Subordinations
- Partial releases
- Sales

Failure to meet or follow the requirements in the loan agreement, promissory note, and other security instruments could lead to nonmonetary default which could jeopardize your current and future loans.

It is critical that borrowers keep an open line of communication with their FSA loan staff or guaranteed lender when it comes to changes in their operation. For more information on borrower responsibilities, read [Your FSA Farm Loan Compass](#).

FSA December Loan Interest Rates

OPERATING/OWNERSHIP

Operating: 5.125%

Operating – Limited Resource Rate: 5.0%

Operating – Microloan: 5.125%

Operating – Microloan Special Interest Rate (available for beginning and veteran farmers/ranchers): 5.0%

Farm Ownership: 5%

Farm Ownership - Joint Financing: 3%

Farm Ownership - Down Payment: 1.5%

Emergency - Actual Loss: 3.750%

FARM STORAGE FACILITY LOAN

3-year term: 4.375%

5-year term: 4.125%

7-year term: 4.125%

10-year term: 4%

12-year term: 4.125%

MARKETING ASSISTANCE

Commodity Loan: 5.625%

Biden-Harris Administration Announces \$3.1 Billion Investment for Climate-Smart Ag, Support for Underserved Farmers and Ranchers

Agriculture Secretary Tom Vilsack announced last week that the Biden-Harris Administration through the U.S. Department of Agriculture (USDA) is investing an additional \$325 million for 71 projects under the second funding pool of the [Partnerships for Climate-Smart Commodities](#) effort, bringing the total investment from both funding pools to over \$3.1 billion for 141 tentatively selected projects.

Partnerships for Climate-Smart Commodities is working to expand markets for American producers, especially small and underserved producers, who have the most to gain from growing market demand for climate-smart commodities.

To learn more about the opportunities available through these projects, please [click on this link to the USDA news release](#).

What are Your 2023 Conservation Resolutions?



2022 is coming to an end, which means it's time to start thinking about what you want to work on in the new year. Setting resolutions can be hard, but we're here to help!

If you would like to make a #ConservationResolution for 2023, here are some options to consider:

- Incorporate cover crops into your operation.
- Extend your growing season by using a high tunnel.
- Improve your soil health by utilizing no-till practices.
- Provide recreational opportunities and wildlife habitat by restoring wetlands.
- Reduce input costs by focusing on nutrient management.
- Protect topsoil and groundwater quality by devoting environmentally sensitive agricultural land to conservation benefits instead of farming.

To get started on your #ConservationResolutions, we recommend you stop by your [local USDA service center](#), so we can discuss your vision for your land. The Natural Resources Conservation Service (NRCS) can provide you with free technical assistance and or advice.

Learn about the benefits of conservation practices directly from the farmers, ranchers, and forest landowners applying them with our series of 90-second videos. Explore the different types of conservation practices by watching our [Conservation at Work series](#). You can also read producer profiles on [farmers.gov](#).

Order Trees from Natural Resources Districts

Natural Resources Districts (NRDs) throughout Nebraska are currently accepting tree and shrub orders through their Conservation Tree Program. The program encourages the planting and maintenance of trees and shrubs to protect livestock in winter months, reduce energy costs for homeowners, increase food and shelter for wildlife, and more.

Doak Nickerson with the Nebraska Forest Service said livestock producers can experience a tremendous return on their investment when establishing windbreaks. With every \$1 invested in a livestock windbreak, a beef cow producer sees \$7 in return. Once temperatures fall below 18°F the animal becomes stressed and requires more feed to maintain its necessary body temperature. Strong, gusty winds create dangerous windchills and cause extreme stress conditions. With a well-established and maintained windbreak, wind speeds can be reduced by 70%, thus reducing feed costs and animal stress.

Natural Resources Districts offer a variety of tree services to landowners in addition to providing seedlings at inexpensive rates. Services include planting design, site preparation, and machine plantings. Tree orders can be taken at NRD offices, or at your local NRCS office. Get the planning process started today. After all, the best time to plant a windbreak was 30 years ago, and the second-best time is today!

Learn more at nrdtrees.org.

USDA Releases Nationwide Customer Survey for Current and Prospective Farmers, Ranchers, Forest Managers



Are you a farmer, rancher or forest manager? Please share your vital feedback with USDA by taking a nationwide survey at farmers.gov/survey! The survey is completely anonymous, will take about 10 minutes to complete, is available in multiple languages, and will be open until March 31, 2023.

The survey focuses on gathering feedback about the Farm Service Agency, Natural Resources Conservation Service and Risk Management Agency.

All farmers, ranchers and forest managers are encouraged to take the survey. USDA would especially like to hear from prospective customers: those who don't know about USDA or have yet to work with USDA, and those who were unable to participate in the past. The survey will help USDA enhance support, improve programs and services, increase access, and advance equity for new and existing customers.



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